

How to expropriate money from the banks

Displaced Legal Application #1:
Fractional Reserve

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The mandrake mechanism

Qmunity

Does the bank own the money which, by contract, it agrees to give to the debtor in order to buy his house?

Can the bank oblige a person who cannot repay his mortgage in full to hand over his house?

No, because the money the bank signs as lent by contract is actually created at the same moment that the mortgage is signed. This is obviously illegal as no-one can loan something they do not own. As a consequence, no-one can be accused of owing money if that money did not exist when it was lent.

The mandrake mechanism

In the 1940s, there was a comic strip character called *Mandrake the Magician*. His specialty was creating things out of nothing and, when appropriate, to make them disappear back into that same void. It is fitting, therefore, that the process to be described in this section should be named in his honor.

When the technique developed by the political and monetary scientists to create money is explained, the people think that money is created first and then waits for someone to borrow it. On the other hand, textbooks on banking often state that money is created out of debt. These are misleading because it implies that debt exists first and then is converted into money.

In truth, money is not created until the instant it is borrowed. It is the act of borrowing which causes it to spring into existence. And, incidentally, it is the act of paying off the debt that causes it to vanish.

There is no short phrase that perfectly describes that process. So, until one is invented along the way, we shall continue using the phrase "create money out of nothing" and occasionally add "for the purpose of lending" where necessary to further clarify the meaning.

So, let us now...see just how far this money/debt-creation process has been carried and how it works.

The first fact that needs to be considered is that our money today has no gold or silver behind it whatsoever. The fraction is not 54% nor 15%. It is 0%. It has traveled the path of all previous fractional money in history and already has degenerated into pure fiat money. The fact that most of it is in the form of checkbook balances rather than paper currency is a mere technicality.

The fact that bankers speak about "reserve ratios" is eye wash. The so-called reserves to which they refer are, in fact, Treasury bonds and other certificates of debt. Our money is pure fiat through and through.

The second fact that needs to be clearly understood is that, in spite of the technical jargon and seemingly complicated procedures, the actual mechanism by which the Federal Reserve creates money is quite simple. They do it exactly the

same way the goldsmiths of old did except, of course, the goldsmiths were limited by the need to hold some precious metals in reserve, whereas the Fed has no such restriction.

The federal reserve is candid

The Federal Reserve itself is amazingly frank about this process. A booklet published by the Federal Reserve Bank of New York tells us: "Currency cannot be redeemed, or exchanged, for Treasury gold or any other asset used as back-

1. *I Bet You Thought*, Federal Reserve Bank of New York, p. 11.

ing. The question of just what assets 'back' Federal Reserve notes has little but book-keeping significance."¹

Elsewhere in the same publication we are told: "Banks are creating money based on a borrower's promise to pay (the IOU). Banks create money by 'monetizing' the private debts of businesses and individuals."²

2. *Ibid.*, p. 19.

In a booklet entitled *Modern Money Mechanics*, the Federal Reserve Bank of Chicago says: "In the United States neither paper currency nor deposits have value as commodities. Intrinsically, a dollar bill is just a piece of paper. Deposits are merely book entries. Coins do have some intrinsic value as metal, but generally far less than their face amount".

What, then, makes these instruments (checks, paper money, and coins) acceptable at face value in payment of all debts and for other monetary uses? Mainly, it is the confidence people have that they will be able to exchange such money for other financial assets and real goods and services whenever they choose to do

3. *Modern Money Mechanics*, Federal Reserve Bank of Chicago, p. 3.

so. This partly is a matter of law; currency has been designated "legal tender" by the government — that is, it must be accepted."³

In the fine print of a footnote in a bulletin of the Federal Reserve Bank of St. Louis, we find this surprisingly candid explanation:

Modern monetary systems have a fiat base -- literally money by decree -- with depository institutions, acting as fiduciaries, creating obligations against themselves with the fiat base acting in part as reserves.

The decree appears on the currency notes: "This note is legal tender for all debts, public and private." While no individual could refuse to accept such money for debt repayment, exchange contracts could easily be composed to thwart its use in everyday commerce. However, a forceful explanation as to why money is accepted is that the federal government requires it as payment for tax liabilities. Anticipation of the need to clear this debt creates a demand for the pure fiat dollars.⁴

4. *Money, Credit and Velocity*. Review, May, 1982. Vol 64, N^o 5, p. 25.

Money would vanish without debt

It is difficult for Americans to come to grips with the fact that their total money supply is backed by nothing but debt, and it is even more mind boggling to visualize that, if everyone paid back all that was borrowed, there would be no money left in existence. That's right, there would not be one penny in circulation -- all coins and all paper currency would be returned to bank vaults -- and there would be not one dollar in any one's checking account. In short, all money would disappear.

Marriner Eccles was the Governor of the Federal Reserve System in 1941. On September 30 of that year, Eccles was asked to give testimony before the House Committee on Banking and Currency. The purpose of the hearing was to obtain information regarding the role of the Federal Reserve in creating conditions that led to the depression of the 1930s. Congressman Wright Patman, who was Chairman of that committee, asked how the Fed got the money to purchase two billion dollars worth of government bonds in 1933. This is the exchange that followed.

ECCLES: We created it.

PATMOS: Out of what?

ECCLES: Out of the right to issue credit money.

PATMOS: And there is nothing behind it, is there, except our government's credit?

ECCLES: That is what our money system is. If there were no debts in our money system, there wouldn't be any money.

It must be realized that, while money may represent an asset to selected individuals, when it is considered as an aggregate of the total money supply, it is not an asset at all. A man who borrows \$1,000 may think that he has increased his financial position by that amount but he has not. His \$1,000 cash asset is offset by his \$1,000 loan liability, and his net position is zero.

Bank accounts are exactly the same on a larger scale. Add up all the bank accounts in the nation, and it would be easy to assume that all that money represents a gigantic pool of assets which support the economy. Yet, every bit of this money is owed by someone. Some will owe nothing. Others will owe many times what they possess. All added together, the national balance is zero. What we think is money is but a grand illusion. The reality is debt.

Robert Hemphill was the Credit Manager of the Federal Reserve Bank in Atlanta. In the foreword to a book by Irving Fisher, entitled 100% Money, Hemphill said this:

If all the bank loans were paid, no one could have a bank deposit, and there would not be a dollar of coin or currency in circulation. This is a staggering thought. We are completely dependent on the commercial banks. Someone has to borrow every dollar we have in circulation, cash, or credit. If the banks create ample synthetic money we are prosperous; if not, we starve. We are absolutely without a permanent money system. When one gets a complete grasp of the picture, the tragic absurdity of our hopeless situation is almost incredible -- but there it is.

With the knowledge that money in America is based on debt, it should not come as a surprise to learn that the Federal Reserve System is not the least interested in seeing a reduction in debt in this country, regardless of public utterances to the contrary. Here is the bottom line from the System's own publications.

The Federal Reserve Bank of Philadelphia says:

A large and growing number of analysts, on the other hand, now regard the national debt as something useful,

if not an actual blessing....[They believe] the national debt need not be reduced at all.⁵

5. *The National Debt*, Federal Reserve Bank of Philadelphia, p. 2-11.

The Federal Reserve Bank of Chicago adds:

*Debt —public and private— is here to stay. It plays an essential role in economic processes. What is required is not the abolition of debt, but its prudent use and intelligent management.*⁶

6. *Two faces of Debt*, Federal Reserve Bank of Chicago, p. 33.

What's wrong with a little debt?

There is a kind of fascinating appeal to this theory. It gives those who expound it an aura of intellectualism, the appearance of being able to grasp a complex economic principle that is beyond the comprehension of mere mortals. And, for the less academically minded, it offers the comfort of at least sounding moderate. After all, what's wrong with a little debt, prudently used and intelligently managed? The answer is nothing, provided the debt is based on an honest transaction. There is plenty wrong with it if it is based upon fraud.

An honest transaction is one in which a borrower pays an agreed upon sum in return for the temporary use of a lender's asset. That asset could be anything of tangible value. If it were an automobile, for example, then the borrower would pay "rent." If it is money, then the rent is called "interest." Either way, the concept is the same.

But what are we to think of money that is created by the mere stroke of a pen or the click of a computer key? Why should anyone collect a rental fee on that? When banks place credits into your checking account, they are merely pretending to lend you money. In reality, they have nothing to lend. Even the money that non-indebted depositors have placed with them was originally created out of nothing in response to someone else's loan. So what entitles the banks to collect rent on nothing? It is immaterial that men everywhere are forced by law to accept these nothing certificates in exchange for real goods and services.

One reason to abolish the system

Centuries ago, usury was defined as any interest charged for a loan. Modern usage has redefined it as excessive interest.

Certainly, any amount of interest charged for a pretended loan is excessive. The dictionary, therefore, needs a new definition.

USURY: THE CHARGING OF ANY INTEREST
ON A LOAN OF FIAT MONEY.

Thomas Edison summed up the immorality of the system when he said:

People who will not turn a shovel of dirt on the project nor contribute a pound of materials will collect more money...then will the people who will supply all the materials and do all the work.

Is that an exaggeration? Let us consider the purchase of a 200,000€ home. If the home buyer puts up 50,000€ as a down payment, then 150,000€ must be borrowed. If the loan is issued at 5% over a 35-year period, at the end of the loan will be returned 300,000€. That means he will return the 150,000 originals plus another 150,000 in interests.

But, did the bank had the 150.000 euros that were requested as a loan? It's evident that if they did it would be fair not only giving back the money, but also the interests agreed. But if the bank didn't have them, then what's the reason to give the money back? why the interests should be paid for something that was pretended to be given, when in reality it wasn't that way?

As we have already shown, every entity monetary exists only because it was borrowed by someone; perhaps not you, but someone. That means all the money in the entire world are earning daily and compounding interest for the banks which created them. And what did the banks do to earn this perpetually flowing river of wealth? Did they lend out their own capital obtained through investment of stockholders? Did they lend out the hard-earned savings of their depositors? No, neither of these were their major source of income. They simply waved the magic wand called fiat money.

The flow of such unearned wealth under the guise of interest can only be viewed as usury of the highest magnitude. Even if there were no other reasons to abolish the Fed, the fact that it is the supreme instrument of usury would be more than sufficient by itself.

Who creates the money to pay the interest?

One of the most perplexing questions associated with this process is "Where does the money come from to pay the interest?" The amount of money put into circulation just isn't enough to cover the total debt, including interest. The assumption is that anyone out of their debt positions and means that someone must always be insolvent. It is as if we could only get out of debt by issuing more debt.

This is a partial truth. It is true that there is not enough money created to include the interest, but it is a fallacy that the only way to pay it back is to borrow still more. The assumption fails to take into account the exchange value of labor.

It is not necessary that you work directly for the bank. No matter where you earn the money, its origin was a bank and its ultimate destination is a bank. The loop through which it travels can be large or small, but the fact remains all interest is paid eventually by human effort. And the significance of that fact is even more startling than the assumption that not enough money is created to pay back the interest. It is that the total of this human effort ultimately is for the benefit of those who create fiat money. It is a form of modern serfdom in which the great mass of society works as indentured servants to a ruling class of financial nobility.

Links to consult for more information

<http://qmunty.com/blog/2011/01/10/el-mecanismo-de-la-mandragora-i/>

<http://qmunty.com/blog/2011/01/14/el-mecanismo-de-la-mandragora-ii/>

<http://qmunty.com/blog/2010/12/27/la-criatura-de-jekyll-island-i/>

<http://qmunty.com/blog/2010/12/29/la-criatura-de-jekyll-island-ii/>

<http://qmunty.com/blog/2010/12/17/el-privilegio-que-oculta-la-banca-por-la-ruina-que-a-todos-provoca/>

<http://qmunty.com/blog/2010/11/19/posiblemente-una-de-las-mejores-explicaciones-sobre-la-crisis-i/>

<http://qmunty.com/blog/2010/11/24/posiblemente-una-de-las-mejores-explicaciones-sobre-la-crisis-ii/>

<http://qmunty.com/blog/2010/11/03/las-4-crisis-conferencia-en-la-universidad-publica-la-rimaia-i/>

<http://qmunty.com/antal-fekete/>

*Free translation from the book "The Creature from Jekyll Island" chapter 10 (The Mandrake Mechanism) by Edward Griffin.

Manual: Step by step

Enric Duran

<http://www.derechoderebelion.net/>

<http://enricduran.cat/>

The most important thing is to have courage and make the decision to want to change your life, because having carried out the action you will have to declare yourself bankrupt and turn into a defaulter.

The necessary requirements before starting

- Create a telephone account for this purpose only.
- The best clients for banks are wage earners who have a fixed contract that has been in effect for at least one year. If you do not meet this criteria you will have to create an identity, for example an IT technician with a fixed contract and a pay slip every month.
- Necessary equipment: computer, printer, photocopier, scissors and adhesive tape.
- Select the city in which you will carry out the action, taking into account the size of your project: if you ask for a lot of loans in a small town it is likely that you will meet the same notary on various occasions.
- In order to initiate the action you will have 2,000 Euros which you shall enter as wages in the first month. Subsequently you can withdraw and enter each month as if it was your wages.



Information systems

The first thing we need to know, which will be highly useful in guiding us and determining the rate of our action, is to get to know how financial institutions inform themselves about our state of credit, because the granting of the loans we desire depends on it.

There are two ways:

A. C.I.R.B.E. (Bank of Spain Information and Risks Centre)

This is a database of the Bank of Spain where people's debt situation is stored. Every time you ask for a loan or a credit card at any private bank, they make you sign a document which authorises them to look up information on your financial situation. We could say that the information that appears in the CIRBE is the debt you have admitted to.

Anyone can search your report for a particular reason.

What is interesting about the CIRBE and what will be very useful for us to take into account is that loans of less than 6,000 Euros are not recorded. Although sometimes if the amount of the loan is close to the aforementioned quantity, they have to round it up and include it. For example, this system allows us to ask for four credits of 5,000 Euros without any other institutions knowing that we now owe 20,000 Euros.

The loans featuring in the CIRBE are updated monthly but with a delay of two months; therefore, if you paid various dues now and the debt is less than 6,000 Euros, this would not appear in the Bank of Spain's information base until two months later. You may take this into account at the time of paying the necessary dues or offer to repay the loan so that it does not feature in the report until two months later. This lapse which delays information from being updated allows room for manoeuvre which needs to be kept in mind. It works for natural months (for example, 1st June will show all the information for the month of April; so it's not exactly 60 days).

Advisory note
On many occasions the technical questions are not what is important but rather an adequate argument.

Bearing this in mind, you can calculate the time you need in order to carry out transactions. Therefore, you need to begin to sign loans with the notary at the beginning of the month; even though you have already prepared for it, you shall have to make up excuses to delay signing. This way, you will have the whole month ahead of you to carry out the transactions.

The loans you are requesting on behalf of a company will not appear in your personal history. You can create as many companies as you like. The important thing is to keep your personal history as clean as possible.

If you need to personally attest for a loan requested by a company you have created, it is possible that this will feature in your personal history (according to proven expertise, it appears in 25% of cases). Nevertheless, it does not appear as a loan but rather an endorsement and never indicates who you are endorsing. Therefore, you can always say that you have endorsed a friend because they have got no way of checking.

B. Late Payment

The other route is what is popularly known as default blacklists, archives which contain information on all debtors in Spain and which are run by two companies: Asnef, who run the Equifax archive and Experian who run the Badexcug archive.

Obligation to maintain privacy is only exempt if you are a defaulter. Not only do bank debts appear on these lists but

Curiosity

On many occasions you would be surprised at the poor management of information by financial companies. For example, it may be that you apply for two loans at two companies within the same group and that between them they are unaware of this information. Or that a bank is unaware of a loan it granted to your own company.

also debts for telephone bills or debts with certain companies linked to late payment. Therefore, if you are the slightest bit in debt, it is best to pay up prior to commencing action. This way, they will remove it from the default blacklists without subsequently making note of it.

It is very important that whilst you are carrying out transactions you are well prepared to continue paying dues on time thus avoiding inclusion in the default blacklists.



Criteria for granting loans

The financial institutions shall study your application for credit whilst taking into account all of the loans recorded in the CIRBE, and they will set them so that the total of monthly dues in debt does not exceed 40% of your salary; that is to say that if you earn 1,000 Euros you cannot have a total of monthly dues exceeding 400 Euros including monthly payment of what you are asking for at the moment.

A good time to ask for a loan at any private bank, and for them to grant it to you, is three months after you have opened an account and deposited your wages. On the other hand, if you are seen to have a loan from your institution and you meet the deadlines, this could serve as a guarantee for them to trust you and grant you another one.

In the case of financial companies, a practically essential condition of applying to borrow a large loan amount is that you have initially requested a small amount and you are paying it. It is usual for them to let some six months pass by between granting you the first loan and granting you the second one.

Advice

If they ask you how much you are paying for rent, the best thing to say is that you are living in a family apartment or give some other reason to substantiate for not paying rent, otherwise they will take it into account in the calculation of 40%!!!

IV

Documents required for carrying out action and how to obtain them if you do not have them

1. Employment contract

They usually ask for it even though it's not always necessary. You can find a template on the internet which you can use to make your own contract. It always has to be indefinite! Once you do that, you only need a real employment contract then in order to scan the seal. Once scanned, alter the date showing when the indefinite contract took effect from and print it on to the contract you made earlier. This way you will have two prints: one with the employment contract and the other one on which you will print the seal in the desired place.

2. Pay slip receipt

You can also create this document on the computer. There are many Internet pages with templates of pay slips. You need to have the real or scanned seal of the company. This has to be real because they can check your tax ID and phone the company to check if it is true.

3. Receipt for loans which appear in the CIRBE

As we saw earlier, in the CIRBE you can find out the overall debt you have with an institution but not the monthly due you are paying; for this reason, they will ask you for receipts of the credits they have seen in the CIRBE.

This gives us room to manoeuvre. You can submit a receipt with a monthly amount to pay that has been altered in such a way that it poses no problem for them to grant you the credit you would like; or in case you have two credits from the same institution (one with a lesser sum which does

not show in the CIRBE and one with a greater amount which is recorded) you can submit the monthly receipt of the one with the lowest sum.

4. Tax return

This document is more difficult to alter because it contains a link to a web page on which you can check if the information is true or not.

In this case, it is better to say you do not have it and explain the reason. One reason may be that in recent years you have had a net income of 14,000 Euros annually and therefore you were not obliged to complete such a form. For example, you could say that you have been working in a company for one year and a few months; in the first year of work on a fixed contract the salary was less than what you are earning now but then they promoted you and increased your salary to the sum displayed in the pay slip now.

Advice

If you make a mistake with any detail, you can always blame the manager and cast doubt on his professionalism. The banks do not envisage that you are going to alter anything or that it is to do with a plan to stop paying debts. For them, anyone wanting to be insolvent for life is not an option. In cases such as these, you always have to use the psychology of error.

5. Working life

It's not very often that they ask for this document but in case they do, the problem may be whether you really don't work as the document will reflect that.

The best way of creating a new one is by going to the Social Security offices and requesting one as a matter of urgency. They will print one for you in black and white with a laser printer and that way it will be easier for you to edit than if they send you one in the post. Once you have the original document, add the dates you want and if necessary, correct the days of contribution and print it.

Note

Whenever it is to do with official information, you need to obtain real documentation to be able to copy it.

6. Checking of the expenditure you will make

You will need to submit an estimate for the purpose of your loan application. In the case of personal loans amounting to less than 6,000 Euros, the simplest thing is to use alterations

as a means of justification, or alternatively a car if the loan is higher. In the case of loans requested by a company, the most plausible is to argue that it is to do with investments in order to increase the activity of the company.

7. Bank statement

(in case you ask for a loan at an institution where you do not deposit your salary)

It is recommended that you do not apply for loans at the bank where you are pretending to pay your wage into; that way you are assured that your bank statement is always clean.

Otherwise, you can always modify it but that is a laborious exercise. It will be simpler for you to do it with statements which you can download directly from the internet.

V

Action

A.

Variable No.1: A person with a particular title

(without endorsements)

1. The first step is, if you don't have one, obtain a pay slip showing the sum you need in relation to the credits you would like to ask for. To do that, you need a company or collective from whom you can print this pay slip. The person in charge of the company must be informed why it is likely that they are being called to confirm that you are working there although they will never check the salary. If you have the option, it is better to give the number of a phone you can answer yourself.

The important thing about the parent company is that it must have been formed at least a year ago as you need to prove that you have a fixed contract, consequently you have been working there for some months now.

2. Open an account at a bank. Deposit your wage into it. At the start of every month you can go into the bank in person and make the deposit yourself on the pretext of paying in your wage; this will save you from having to pay in the monthly wages from another account. Once you have made the deposit you can withdraw this money from the account. We will try to keep this account free of loans because it will not help us when we have to submit a statement at any bank or financial company.
3. Open another account at another bank and deposit your wages there as well. It is advisable to obtain a deposit receipt, because it will be useful for us later on.

It may be the case that when you deposit your wages, you will automatically be offered a credit card. If they give you

Advice

You have to use a little psychology in the way in which you withdraw the money because when you ask for a loan it is possible that they will look at the bank statement and will see what movements you have been making. To avoid raising suspicions, you can continue to withdraw 200 to 300 Euros per week in order to cover daily expenses, then the objective is to have an air of normality.

one, it is important to use it before you ask for a loan; otherwise, within their parameters it will not be agreed for you to use the card and ask for a loan. One way of using it is to go out with people to a restaurant, offer to pay for everyone and then later on they can each pay back their own share of the bill; that way you can carry on using the cards.

4. After three months of paying in the wages you can apply for a loan. Remember that depending on the amount of the loan this may or may not appear in the CIRBE, therefore, it will have an effect on when you can ask other institutions for loans. It is recommended to begin with small loans which will not feature in the CIRBE in order to continue having capital. With the capital we obtain from some of these loans we will be able to continue paying monthly dues from a larger loan and from those we are requesting.

5. The actions in points three and four can be repeated as many times as you like, at different banks, with the aim of requesting loans. You will have to make sure that the signature of the notary is at the beginning of the month; that way you will have two months ahead of you before it is registered in the CIRBE.

One strategy is to create groups, for example, with the loan for a car. You go to the dealer, ask for an invoice for the model of the car you would like and then choose a series of banks in order to finance you for it. For example, one bank might make out a cheque to you in the name of the dealer, which then obliges you to buy the car. Another might only ask you for the invoice; another might request you to insure the car with your insurer, and another might not ask you anything. This way, you can obtain four or five loans for the same car. In case they ask you why you are not making an instant bank transfer, you always have the option that the

dealer asked you to pay in cash in exchange for a discount.

6. You also have the option of requesting loans from financial credit establishments. These institutions may offer long distance credit but not offer current accounts; they expect that you have deposited your wages at another institution. In order to be able to deposit it at a financial credit establishment you need to have had a bank account for three months. We will submit the bank statement that we have maintained free from credits. Furthermore, we will indicate to them that they charge us from another of our accounts, for which they will ask us to submit a previous deposit receipt. This way, we will continue to keep clean the first account we opened.

Advice

If any company offers you a loan, accept it at that time. They will not distrust you because they are the ones who have offered you advertising. You can spend some time looking for adverts in the press or internet to find these types of products.

B.

Variable #2: One person as a company

(without endorsements)

1. Create a company. This is simple because you can create single-member limited companies. You must take the following steps:

- Request a name and hope that they send you according proof that it is available.
- Deposit €3,000.12 in a bank.
- Search the internet for model statutes to create companies and adapt them.
- Go to the notary with the deposit receipt, the statutes and create the company.
- Go to the Commercial Registry and the Tax Office to process the VAT number of the company and register it for business tax. The total cost is usually some 400 or 500 Euros (remember that you will soon have 3,000 Euros available that you deposited). If possible, try not to put single-member in the title of the company, although it depends considerably on chance as to whether the notary puts it or not.

It is always recommended to create a company in a sector you have some knowledge of.

2. In the bank account pretend that there has been company activity of nine months to a year because they will ask you about its history. You have to continue making movements. The most practical thing to do is to create three companies, this way you can continue to invoice between them because you will not be asked who they belong to. You can also opt to make cash movements with varying terms because they will neither trace them nor oblige you to depend on third parties. Generally, however, the best way to endorse yourself is your personal pay slip as an employee of another company. To justify this you can argue that the money from the loan you are requesting will enable you to spend increasingly more time at the company you are setting up, thus reducing the hours spent at the other job.
3. Request loans. As a company the simplest thing to do is to request them at institutions you are not working with, that way you can keep the historical part in order. You can also show the balances for all the activity carried out up until the last quarter in progress, as well as the company taxes. Everything has to tally. The balance has to be with profits, but without going too far. Basically, it's about demonstrating that you will repay the loan you are applying for.

Note

This option allows you to request credits with endorsements. In the event that you endorse your friend, the latter must present themselves as independent; the pay slip you have made them would not serve for this purpose now that they would appear to be an employee of your company.

Perhaps a branch will deny you the loan because the company is still quite young, however this does not mean to say that you cannot return to this institution: what you should not do is return to the same branch but you can go and try at another branch of the same institution.

4. The actions in points three, four and six in *Variable #1*, explained previously, can be repeated as many times as you like with the aim of requesting loans.

C.

Variable #3: Two people

1. Two friends, each one creates a company (explained in the first point of *Variable #2*). Let it run for one year.
2. Each one deposits wages into the other one.
3. Next, we apply the actions in points three, four, five and six of *Variable #1*, with the advantage in this case being that you have the possibility of mutually endorsing them.

D.

Variable #4: Three people

1. Three friends, one of them creates a company. Let it run for one year.
2. The one that has the company makes the pay slips for the other two. In this case, whoever endorses you will be your supposed work colleague; this way, they person who employs you will not have any connection with whoever endorses you.
3. Next, we apply the actions in points three, four, five and six of *Variable #1*.

E.

Variable #5: Four people

1. Four friends, two of them create a company. Let it run for one year.
2. The ones who have the company make the pay slips for the other two. This way, there will never be a connection between the person who employs you and the one who endorses you.
3. Next, we apply the actions in points three, four, five and six of *Variable #1*.

VI

Finalising the action

1. There will come a time when you decide to stop the action and recover the money. You need to keep withdrawing it little by little to avoid arousing suspicion. It is advisable to assess which of these accounts will be affected the least by this decision and develop it as a base account to make transfers to other accounts. For example, it may be that they have granted a loan that you did not begin to pay until a year and a few months later. You can also make transfers to the base account if you still keep it free from loans.
2. After approximately one month, the bank itself will start calling. You can say that the company has gone bankrupt, or that you have lost your job. They will keep asking. Another option is to change the mobile phone number you gave to the banks.
3. A private company hired by the banks for this purpose will call you. These companies often pressure you, lying to you, threatening you with prison or seizing your parents' house, something which is not true. They only want to frighten you. They may even try to pressurise your family. If your family know it, they can say that they have nothing to do with it or that you will not pay and then they will stop hassling them.
4. Your details will be entered on to the debtors' list.
5. Firstly, you will receive preliminary letters from them and then judicial letters afterwards informing you that if you fail to respond, they will seize your property.
6. They seize your property. If they cannot seize anything from you, the affair remains in limbo. In order for them to seize property from you, you have to be aware that you have money in another account, something that the judge does not investigate; therefore it is the bank that needs to provide the proof. Nevertheless, according to the data protection act, the bank cannot access this information, unlike the state, in the event that it is the latter with which you have the debts.

Between reality and legality

Simona Sarau

If you carry out the actions described in the previous chapter, legally you could be charged with the following offences:

A) Credit fraud, regulated in article 248 of the Penal Code.

B) Falsification of a private document, regulated in articles 395 and 396 of the Penal Code.

C) Asset stripping or criminal bankruptcy, regulated in article 257 et seq. of the Penal Code.

D) Organised crime, regulated in article 282 bis 4 of the Code of Civil Procedure.

A

Credit fraud (Art. 248 of the Penal Code)

Credit fraud consists of obtaining or developing a credit by means of providing falsified data about an applicant's solvency; that is to say, that if the bank had access to the real financial status of the applicant, the loan would have been denied.

What are the concurring elements that are typical of a fraudulent offence?

1. Deception
2. Intent to make profit
3. Damage caused

1. Deception

This element is the structure for the offence of fraud. Not every deception is considered as an offence; there needs to be a *background*, *originator* and *sufficiency*.

Background: there must be a precedent; that is to say, it must be proved that you already had the intent to defraud prior requesting the bank for a loan.

Originator: whoever causes or makes the vital error about the passive subject who is unaware of the real situation you have concealed; that is to say, that deception is the reason why whoever gave you the credit ultimately granted it to you.

Sufficiency: It must be proportional to obtaining the proposed purpose. The specific circumstances of the victim are taken into account -recognised by the perpetrator – which may be ignorance, a particular situation, age or intellectual deficit. However, these cases are impossible in this environment, since the victim is a financial institution. In general, people who work in such institutions are moderately insightful

and are obliged to act with a minimum of diligence before the defendant.

The fiction of financial capacity has traditionally been considered as sufficiently deceptive action, provided that it goes beyond exaggerations tolerated in the world of finance. We must take into account that until now jurisprudence has considered that the fiction of solvency is an essential element of fraud if it is accompanied by initial intent not to repay the loan in the event that it is granted. However the aforementioned initial intent is very difficult to prove as it usually becomes apparent by means of inference or deduction.

To be precise, what defines fraud is the knowledge that it will be impossible to make compensation. This is the boundary between civil liability and criminal liability. Article 1269 of the Civil Code states that "intent exists if insidious words or machinations by one of the contracting

parties lead to the other party entering into a contract which they otherwise would not have entered into". Therefore, it may be argued that there is incidental intent but not voluntary intent. Let us remember the assumption of article 1270 of the Civil Code which is that the defendant is only obliged to indemnify damages, insignificant in this case, as the damage caused to a bank for not paying a loan can rarely be evaluated provided such damage exists.

Therefore, it may be argued that fraud exists if the initial intent of one of the contracting parties is to breach the contract, whereas civil liability for intent would only exist if the aforementioned party initially acted in good faith.

In order for us to talk of the existence of *deception* in credit fraud, conduct must be limited by the criteria of patrimonial self protection, which, in cases where the victim is a financial institution, shall be investigated in accordance with trade usages and enable to exclude deception from fraud in some businesses in which the

1. This is the case of solvency exaggerations by the applicant for a loan: generally, it is usual for the credit institution to anticipate it and they do not have any criminal relevance. Jurisprudence has applied this criteria in order to exclude the offence of fraud in banking businesses whereby the institution has not been minimally diligent. Not every deception constitutes an offence.

Note

We could always argue that despite presenting falsified documentation our initial intent was to pay the loan, however we subsequently faced unexpected difficulties that we were not reckoning on, e.g. losing one's job etc.

injured party failed to act with minimal diligence required, in accordance with aforementioned commercial or bank usages. In order for a loan claiming goods or solvency to be deemed as constituting an offence of fraud, machinations of a certain kind need to be used such as the submission of fake deeds or pay slips, or documents which do not correspond to reality.

2. Intent to make profit

In addition to being aware of the deception it inflicts on the banker, this subjective element requires the person to have the knowledge and will to gain financially as a consequence of their action, this objective being the motive for committing the offence. The required intent to make profit by committing fraud is through fraudulent conversion of the value of the item that constitutes the object of asset disposal.

Asset disposal is the action undertaken by the asset holder – for example, the financial institution – to extract the asset element from its realm; in this case, the quantity of money intended for the loan. By doing so, it unlawfully enters into the realm of the perpetrator of the crime, with the aim of accomplishing a definite objective which would be the granting of credit to a client.

However, unlawful intent to profit or gain is not excluded, even if the financial advantage that the person gains with their actions is only a means to satisfy other purposes; for example, if whoever carries out fraud shares out the profits amongst the poor. Therefore, it is not a requisite for responsibility that whoever carries out the fraud personally profits from it. What is evaluated in order to determine whether there is intent to profit or not is the principle motive; that is to say, obtaining a financial advantage despite the ultimate aim being different. However, it is frequently the case that

2. Criminal law does not have to be incorporated into an asset protection instrument for those who do not protect themselves. In order for deception to be criminally relevant, it must have sufficient body to overcome the desire of the financial undertaking. The latter must act with diligence coinciding with the principle of individual responsibility as a total lack of insight, an act of gullibility or extraordinary indolence to realise matters, may be the cause of the fraud, rather than the product of deception, it is considered to be the effect of blameworthy neglect; like a lack of diligence.

Note

It should be added that it is difficult for the bank to investigate the submission of documents in due course to determine if they were fake as it will not want to lose more time and money on your case.

jurisprudence and the doctrine confuse principal motive with the ultimate aim.

3. Damage caused

To accomplish fraud the victim has to suffer pecuniary loss, however this does not exist in this case due to the fact that the bank would hardly consider itself as a victim by granting an unpaid loan which, nevertheless, has enabled it to build up some interest which has increased their virtual assets. THE DAMAGE CONSISTS OF A DECREASE IN ASSETS: IF A MEASURABLE DECREASE IN THE BANK'S ASSETS CANNOT BE ASSESSED, EVEN IF DECEPTION AND INTENT TO MAKE A PROFIT EXIST, THE OFFENCE OF FRAUD CANNOT BE CONSIDERED.

This is why civil law is always at the forefront of protection against fraud. That is to say, criminal law is governed by its principle of minimal intervention (which seems to have been forgotten recently), since not all legal rights require criminal protection. Criminal law has a subsidiary character, it may only intervene when other legal systems fail. Therefore, civil law leads the way as an instrument for protection of legal rights, whereby civil fraud is envisaged without the need to resort to fraud, regulated by the Penal Code.

When is credit fraud considered to have been detected?

Despite various stances of the doctrine (idea of law or different concepts of law supported by the solicitors who take a stance on a particular matter), the majority position maintains that until repayment of the credit is required, it is impossible to assess pecuniary loss. Consequently, an offence cannot be attributed at a time when the bank still does not know if it may be harmed or not.

In short, credit fraud must be precisely analysed in each case in order to know whether or not the guidelines on banking precautions to which the institution in question was bound by have been observed for their asset protection. Thus, the intervention of criminal law cannot be allowed in all cases. The extent of deception determines whether it is regulated by the Civil Code or not since the simple exaggeration of financial capacity or the solvency of whoever applies for a loan before the manager of a banking institution is not always considered to be sufficient deception.

B

Falsification of a private document (arts. 395, 396 of the penal code)

This offence is committed when any of the following forms of dishonesty occur with a private document:

One: Alteration of any of the essential elements or requisites of a document.

Two: Full or partial copying of a document in such a way that its authenticity is misleading.

Three: Interference with the details of a deed by persons who do not feature in it, or the attribution to those same persons of declarations or statements which are different to those originally made.

Four: Lacking in truthfulness when stating facts.

In the case we are concentrating on in this handbook, the submission of fake pay slips would be an offence of falsification of a private document which carries a prison sentence of six months to two years, unless there is no previous history, in which case a sentence does not have to be served.

Important:

One has to be careful not to re-offend until an offence is removed from criminal records, the sentence which was not served is accrued as follows. This way, if the new sentence and the one pending amount to more than two years, a custodial sentence will have to be served.

C

Asset stripping or criminal bankruptcy (Art. 257 et seq. of the Penal Code)

A person who is insolvent cannot respond with their goods in order to cope with the civil liabilities originating from their actions because they have no goods registered in their name. Therefore, criminal bankruptcy is the event of deliberately becoming insolvent so as not to comply with the obligations you previously breached; in other words, failure to pay the loan.

SOMETIMES, THE SITUATION OF A PERSON WHO FAILS TO PAY CREDIT TO THE BANK CONSTITUTES BEHAVIOUR SUBSEQUENT TO THE ACT OF FRAUD WHICH MUST BE CONSIDERED AS AN UNPUNISHED ACTION; THAT IS TO SAY, IT CANNOT BE PENALISED.

Asset stripping is considered to be an offence if the person carries it out to the detriment of their creditors; this is also the case, if they undertake any asset disposal or create obligations which impede or obstruct the effectiveness of a seizure or enforcement proceedings which are judicial, extrajudicial or administrative and are instigated or expected to be instigated.

Therefore, it is a matter of proving that insolvency has not been caused deliberately although it has occurred; not intended by the perpetrator.

D

Organised crime (art. 282 bis 4 of the code of civil procedure)

Organised crime is deemed to be the relationship between three or more people in order to permanently or repeatedly indulge in behaviour which has the aim, amongst other things, of committing offences against property and against socio-economic order provided for in article 248, amongst others, of the Penal Code analysed earlier.

A. Credit fraud (Art. 251 of the Penal Code)

Imprisonment for a period of one to six years and payment of a fine for six to twelve months.

B. Falsification of a private document (Arts. 395, 396 of the Penal Code)

Imprisonment for a period of six months to two years. If there have been no previous convictions the sentence shall be suspended for a maximum of two years. In the event that the applicant for a loan is not the person who has tampered with the document, usage of the document whilst in the knowledge that it was fake carries a lesser sentence than that given to the forger. Thus, it will depend on the sentence that the forger given in

order to determine the sentence for whoever applies for the loan by furnishing false documents.

C. Asset stripping or criminal bankruptcy (Art. 257 et seq. of the Penal Code)

Imprisonment for a period of one to four years and payment of a fine for twelve to twenty-four months.

D. Organised crime

All of those who took part in the crime will receive the same fixed penalty as that for credit fraud.

How to avoid or lessen the charge for previous offences

A. Credit fraud (Art. 251 of the Penal Code)

The key element is that deception prior to the granting of credit can be proved and this is very difficult to achieve. Nevertheless, if dishonesty should emerge in a private document –as in the case of the pay slips- the intention of previous deception shall be considered and it would be much easier to apportion a crime of fraud. However, as pointed out earlier on, one has to analyse on a case by case basis because the intent to make a profit as well as the damage caused to a bank are elements that have been greatly discussed in the doctrine, yet it is still possible to come across arguments which demonstrate a lack of some of the elements required for such an offence. IN CASE IT RESULTS FROM A CASE REGULATED BY THE CIVIL CODE, THE SENTENCE SHALL BE A FINANCIAL PENALTY (EQUIVALENT OF A FINE) BUT IN YOUR STATE OF INSOLVENCY NOTHING WOULD HAPPEN BECAUSE THERE IS NOTHING TO SEIZE.

B. Falsification of a private document (Arts. 395, 396 of the Penal Code)

Imprisonment for a period of six months to two years. If you have no criminal record you have nothing to answer for. However if you do have a criminal record, the penalties incurred shall be accumulated and you shall receive a sentence if they amount to more than two years

C. Asset stripping or criminal bankruptcy (Art. 257 et seq.)

One must be careful when selling one's assets because this may be linked to deception as an element of fraud. If at the beginning you continue to pay some dues from the credit you have been granted whilst selling or changing the name of your goods at the same time, the intention of doing it in order to obstruct the obligation you were bound by with the bank cannot be proven; on the other hand, if you do it at a later stage they may be able to associate it.

D. Organised crime (282 bis.4 Lecrim)

If there are two of you, this crime will never be attributed to you; to be considered as such, three or more people need to be involved

Bear in mind

In chapter 2 of the Organic Law 10/1995, of 23rd November, the penal code envisages THE FOLLOWING REASONS WHICH EXEMPT CRIMINAL LIABILITY:

Article 20

5°.

Whoever, in a state of necessity, in order to avoid a wrongdoing of their own or another party violates a legal right of another person or breaches an obligation, whenever the following requisites apply:

1. The harm caused is no greater than that which they are trying to avoid.
2. The situation of necessity has not been intentionally caused by the subject.
3. The person in need does not have any obligation to make sacrifices for his office or post.

7°.

Whoever acts IN COMPLIANCE WITH AN OBLIGATION OR IN A LEGITIMATE EXERCISE OF A LAW, OFFICE OR POST.

It is fair to say that these causes for exoneration must be interpreted by a judge who shall consider which situation is likely to apply to causes for exoneration and which does not. Jurisprudence and the doctrine shall serve as a guide for interpretation but there may always be a new jurisprudence as the needs and actions of society are changing at a rapid rate. Both the norms as well as those who interpret them will have to adapt to the new situations presenting themselves, obtaining the greatest benefit from society because in each case it makes justice definite. Indeed, there is a judicial power that is theoretically independent for this.

**Do you owe
money to
the bank?
If you do
not pay, you
will be free**

Colectivo Crisis

Economic forces have exerted much pressure in making people who do not pay their bank debts seem like rejected people within society. However, this is only another form of manipulation the economic system has in order to protect itself from actions that harm it. However, defaulters, even if this is due to bad administration of their money, cease being part of the consumer society and this fact gives them power to live another way. In a time of crisis, when millions of people are defaulters, if we organise ourselves we can become an active part of a big social change, which most people see on a daily basis as being increasingly necessary. Default can be arranged ethically. In the same way we consider consumers responsible when they have taken a political decision to shop in a way that neither harms people nor the planet, so a person in debt can decide whom to pay according to similar criteria. So first you pay back what you owe to your friends and small and medium suppliers, without paying the multinationals nor the banks.

Some answers to demystify the nonpayment of debt

To begin with, it is important to know that debt is only a non fulfillment of contract that falls under the civil code. You have to forget about its association with being a wrongdoer. You are not a wrongdoer. You are free to travel wherever you want, how you want and whenever you want.

If you stop paying back loans it will only leave you without being able to ask for new ones. The debt may turn out to have a lien, or legal claim, on certain property, wages or future goods. But all your money or savings cannot be liened. The law has foreseen goods and incomes which are unalienable.

How much will be liened from my income?

(Also from pension, freelance work, leaves [sick, maternity] and unemployment benefit)

If your salary is under the minimum inter-professional salary (SMI) it cannot be liened.

For 2009, the SMI was 624€. Above this amount, it is liened according to article 592 of Spanish Civil Procedure Law (LEC), which is usually way below what you are paying now to the banks:

SALARY	LIENED AMOUNT	SALARY AFTER THE LIEN
700	22,8	677,2
800	52,8	747,2
900	82,8	817,2
1.000	112,8	887,2
1.100	142,8	957,2
1.200	172,8	1.027,2
1.300	213,2	1.086,8
1.400	263,2	1.136,8
1.500	313,2	1.186,8

Even if you have one or 20 debts, no more than what is stated here can be liened by any of the creditors of the different debts.

To lien accounts

To lien a bank account due to a debt with another bank is valid only when the judge executes an order that includes the maximum amount that can be liened. Otherwise it has to be reported as being an illegal execution.

If your bank account is blocked without a court order, it will be because you have opened an account as an entity who owes money. If you forget about this account and open another one as different entity who does not have debt, you will not have this problem. If someone helps you with this new account, you can be added as an authorised person in order to be more secure.

Other personal advice

- If you are fed up and cannot handle your situation anymore: stop paying on all the cards and debts right away. Prioritize your health and the basic needs of your family before paying all the bank debt.
- If you are married and one or both of you are going to stop paying the debts, it is important you are in a 'separation of property' regime, because both of your salaries could be liened and added to the income from which the liened amount is calculated. The separation of property can be done by mutual agreement in front of a notary and need not cost more than 150€.
- Before selling or changing the name of the car owner so it cannot be liened, check in Transit if it has a domain reserve. Cars with domain reserve cannot be sold without canceling the debt.
- Do not pay attention to any phone calls or letters that arrive in the future, even if they are very threatening.
- If anyone contacts your neighbours you can press charges for infringing the law of personal information protection.
- As soon as possible start a new financial life without bank loans, credit cards or shopping in installments. We can assure you, you will be able to have a good life.

Civil court

Before a civil court, a lot of people can have access to free justice, yet we do not realise this. The maximum monthly income for a family to have access to free justice varies between one and two thousand euros monthly depending on the area. You are not obliged to be present at the civil court, but if you do and want to receive support contact people who can help you via the website below.

These issues are part of the frequently asked questions and answers on non payment of debt which the Col·lectiu Crisi (Crisis Collective) has proposed to public disposition in the Comunitat de Moroses section at <http://www.17-s.info/moroses>. In this link you will find more information and people who are willing to help and to allay your doubts.

To organise ourselves in cooperatives may be useful in order to live without banks and without worrying about our past debts

- To lien a person's property includes his/her social participation in enterprises, but there is one exception. According to diverse cooperative laws, the social contribution to a cooperative is not alienable.
- A property which is passed to a cooperative where the statutes forbid speculation and profit, is a property for a communal good. A tool for the alternatives proposals you will find in the next pages.
- For all those people who want to start a "transition process" in order to abandon capitalism, but do not feel as sure as to be able to live only with trust relations, the legal form of the cooperative enables them to start being aware and to link themselves to the alternatives, without having to resort to a juridical frame of these relations.
- This way, they can be a juridic tool, a key to the transition to overcome the system.

Be non-submissive

If you want to be free from the system, ask for credit and do not pay back!

Tired of working 40 hours per week?

Overwhelmed by the monthly mortgage payments?

Are you sure that capitalism is for you?

If you decide to quit the illusion of private property, if you want to re-establish the pleasure of sharing, if you want to construct a project of collective self sufficiency and management but lack the money, if you want to support a publication... make yourself non-submissive to the banks. Once you become insolvent, problems are finished and you will enjoy living off the system.

—Only appropriate for those not yet included in the official debtors' record.

Insolvency is a form of immunity against being fined.

Since not fulfilling the civil code is punishable by fines, whoever organizes themselves in order to avoid assets being impounded becomes a person immune to the civil code. (...)

For those of us who want to change this system, actions from organized debtors can be a powerful tool for change.

**I don't
believe in
nothing
but
I believe in
everything**

Lucio Urtubia

A real night of Utopia.

But, what is utopia?

For me it is making possible everything that is impossible.

A few months ago, I was sat at the table in my house eating an unpeeled apple. The peel is what it has and brings all the richness; my mother and father have always told me that you have to rub it with a clean napkin and that's all, don't wash it or peel it, neither fruit nor salad, so the taste doesn't leave you. At this point the front door opened and in came two youths and a girl asked:

–Are you Mr. Lucho?

And without hesitation I replied:

–Nooooo, I'm Lucio.

The girl said:

–Sorry, sir.

The girl was nervous. I'm used to it now, experiencing it today and having experienced it, so I took advantage of the moment and the situation of the girl's inferiority I told her:

–Don't call me sir, or Lucho; call me as I call myself: Lucio, and relax as well.

–Sorry, I'm Catalan and my friend is Cuban. We've just arrived from Cuba. We are a group of Cuban artists who have come to work in Paris and have wanted to get to know you for some time.

Without wasting any time I provocatively told them:

–You all want to defect.

The girl replied:

-No. We just want to get to know you, exchange ideas with you and invite you to participate in a project. My name is Núria, I'm from Girona, and my friend is Cuban, from Havana, his name is Levi. I have been interested in your home for a long time and well... thank you very much for everything you have done. It gives me hope to know there are people like you.

And they left. No wine, no coffee, no nothing. I remained alone and content in the knowledge that anarchistic ideas were known in Cuba.

One hour after leaving, the Catalan girl phoned me and with politeness and respect told me:

-Lucho, I've arranged everything so that you can come and do a talk at the university where we are.

They gave me all the details and I told them I would give them an answer because I had a lot of things to do. I called my friend, Daniel Pinos, a worker at Sorbonne publishing, to ask him if he knew anything about a group of Cubans at a certain place, I was worried that it was a group of Cuban Stalinists. I wanted to know more. Half an hour later, Pinos phoned me and told me that it was a whole delegation of Cuban artists invited to do a presentation in Paris at a public institution. I stayed calm and alright.

A little later on the girl rang me back and we came to an agreement.

One hour later, Núria came back to my house to confirm it. An hour later, we decided to meet at the university on Saturday and that I would give a talk on my experiences of expropriation and my life. It was, like we agreed, in one of the large underground entrances of the Mitterrand library. It all took place in two days: getting to know each other, the meeting and the talk, in which not only forty-five Cubans were present, but there were also many more people, amongst them my friend Pinos. Everything went very well and we said goodbye. Núria told me how much it was, I don't remember exactly but it was an amount around €100. I told her I didn't want any money, I hadn't even thought about it. I told her that whenever I travel I accept payment for travelling expenses, but not on this occasion. She insisted upon it however, telling me that if I didn't want it I should give it to friends in prison, which I accepted and that's what I did. We said goodbye and for various months I never heard anything from her, still a friend today.

* * *

Last Friday, I was on my August holidays at my house in Cascante when a happy Núria phoned me. She wanted to see me to talk about an artistic project which would deal with banking ethics and she had also involved Enric Duran in this. She told me it was very important. I told her she could come and visit me during this time and the next morning she turned up at my house. She told me that she spent the night in Tudela because she didn't dare sleep over at my house.

We ate at Restaurante del Lechuguero whilst she explained her analytical project about the bank to me, something about a misplaced legal application. I didn't understand any of it. We left it that I would go when they hold this big meeting and that I would talk as I do every day, communicating my thoughts and ideas. The date for this was today, Friday 29th October 2010. So now it's the 29th and I don't know any more about it other than what has been shown, said and experienced. Two visits lasting half an hour in order to prepare a talk in Paris. Two hours of talk and three or four more hours of it in Cascante. That's all I know from this girl, Núria, in addition to the three hour talk that Enric Duran and Antonio Chao had at my house in Paris a few months ago. And I go into it and put my faith into it without knowing any more than that. Who are we? We don't know each other nor are we nothing and nobody. Once again I've got to say, like I say everywhere, that one sole encounter with somebody can change an individual's life; and an individual can change and influence, for better or worse, the life of a people, union, group or factory. Just like a book. This is what I call the *unexplainable*, the *unthinkable*; I believe it having lived through it and in order to live through it. I call it the *impossible*.

I say it everywhere: I don't believe in nothing but I believe in everything. And I call it Utopia, something that doesn't exist. A youth who doesn't know me, except for having heard of a certain Lucio thousands of kilometres away, has the courage to show up at my house because she believes in what she has heard and read about me. She also noticed that the door of my house was open and in a few hours saw who I am ... This is impossible; this is the utopia we live in, then nothing. It's impossible, we call it utopia but we're living it. This is utopia.

* * *

And on 29th October, the date of my scheduled trip to Barcelona, there was a rail and transport strike in France. I got up at four o'clock in the morning nervous and worried for not knowing if I would be able to go to Barcelona or not. Having washed and shaved, I arrived at Gare du Nord, where I took the RER train. By 7 a.m. I was already at Orly. Finally and after a one hour delay, we took off destined for Barcelona where I thought I would be met by Núria, but she wasn't there. One of Núria's friends, Ana, was waiting for me. Like all the other friends Núria had introduced me to, Ana is a person of great values, worth and courage; It's regrettable we are neither able to or know how to use these resources.

Ana and I got a taxi which took us to the Hotel Alba, in calle Hospital. As it was 12.30 p.m. and I still hadn't had breakfast, we quickly looked for a bar and found one where they made churros. We went in and I ate like a horse: I ate three servings of churros, each ration had six churros and each one measured 15 cms., in other words I ate almost three metres of churros. Ana ate a ham sandwich. Along with the churros I had three coffees with milk and felt like new. Ana explained to me that Núria and another three friends had spent three days cleaning the garage of the La Rimaia Free University. I knew nothing about this university. Ana politely explained that La Rimaia had been relocated more than once. I didn't know or understand anything about this university. I was accustomed to the universities of Salamanca, Granada, Madrid, Oslo, Oxford, The Sorbonne... in which I had never set foot in as a builder, they were calling me now to invite me to explain how I showed disrespect and how we should show respect for anything that does not deserve any respect.

After spending a nice and tasty time with Ana, she left to finish cleaning the university garage -the utopia- and I left to go to the CGT in Vía Laietana to see my friend José, the anarcho sindicalist, who everyone called "the one with the white hair". We spent an hour or two exchanging views together with Manolo, chef and bar manager of the Barcelona CGT restaurant.

* * *

Then, the incredible began. My friend Núria came to look for me to take us to the university. I wanted to go by taxi because walking makes me suffer. Furthermore, friends always say it's close, so I told Núria what Quico always told me: "Nano, don't trust anyone."

She laughed and we arrived at the university. It's a large building with bourgeois floors. I was expecting a classic, old university like The Sorbonne or Salamanca. They also confirmed that the conference would be taking place in the garage where Núria and her friends had been working for various days in order to hold it. I think of all I have experienced and I say to myself, all is fair in love and war, now I'm relieved of fear, books, universities, televisions, cinemas, filled cinemas, theatres, filled theatres, houses of people and communities, houses of culture, unions, associations: everything that is incredible for normal people but not for the people who have desire and create; not for those dead from starvation like me. But like Durruti said: "Homeless even though we know how to make homes, because we have the courage to make them and we do make them."

The time to enter the university with full floors had arrived; the university without columns, neither made of marble or stone. To get to the garage you have to take a long and winding staircase and at that point it reminds me of the staircase at the CNT in Rue de Sant Mahrite, an old building with a really dangerous staircase, but how marvellous it was to go down it!! Many of those who liberated France and Paris were there.

We went down to the garage where a table and four chairs had been put in place; in the middle of the garage there was another table with projection equipment, fifty chairs in place for the public and fifty more in reserve if needed. Núria didn't think many people would come along since it had been decided neither to promote it nor to inform the media about it in case the event was censored seeing as me and Duran would be present to discuss how to defraud the bank.

This Núria... what did she have in mind? What does she want? She's alone, apart from her seven friends. What did she say to convince them about the necessity of this project, at an abandoned location? People very rarely get involved, either when places are new or when they are called by political parties or unions. What did she tell her friends in order to convince them? And me?

I think you have to be crazy for doing this. Or will that be it, like I was saying, utopia? The impossible exists.

I asked Nùria how people were going to come if they didn't know about it. To be pleasant, she said to me:

–If we announce that you're going to be here, there'll be thousands but the majority would come because their bored at home and want to get to know you; you're used to filling places with three hundred, four hundred or five hundred people but I think even without help from anyone we can get about fifty people here who are genuinely interested in the subject

In five minutes, those fifty seats were taken; five minutes later the other fifty were taken and half an hour after that the garage was full. According to my reckoning, there were between two hundred and thirty and two hundred and fifty people. A lot of people couldn't get in, it was absolutely packed. There are places like this, like los gaztetxes, associations, busy districts like the Red Rose in Hamburg, Berlin, Cologne, Bologna... all of which are a vehicle for our necessary freedom today. I don't believe in nothing, but I believe in everything. Without difficulty, without help from anyone, at an abandoned location, a temple of libertarian defrauding bandits, some crazy girl who no-one knows apart from her four or five friends. Because I believe in the unbelievable, because I have lived through it, because nothing is impossible if we want to or are able to pay for it. A little experience, in addition to other things, can achieve great things and what has been created and carried out by this generous girl without any material interest is immense. I believe in existence and that one is what one is through what one does. This experience has been madness by our friend, but I will say that we are living normality, and this has been very abnormal for normal people. I believe that people of this kind are the ones that really create and I think that you have to open your doors to people like Nùria. My door is open and so too, I believe, are those of her friends who have tried to love her and trust in her, what a pleasure. The conference began with a speech from a magnificent academic, a connoisseur of everything to do with the economy; he is enriching, we followed and absorbed everything he knows: he explained about Spain, Europe, the world, agriculture, industry and currency. It was an immense pleasure to

listen to this man, very academic, with his explanations of the present and the past. And also the future; I don't know if he's right about that, as I found him to be very pessimistic. But as I say, no one has a solution. I realise that I'm a builder, albeit it was on the last point that I disagree with this brilliant man and he made me think that people like this, with knowledge, are not utopian, so I think that to create the impossible, in the utopia that doesn't exist, you've got to be ingenious or innocent. Every time I take part and experience what I take part in, I don't believe anyone can claim that it's above anything else. We're different in respect to people like this professor and academic, who provide us with what they know and what they have learned; this gentlemen has worked for it and for that I respect him even though I have my doubts about his assertions. What I don't doubt is that we should assert our knowledge; everybody has a task, without that we are nothing nor can we assert or be anything.

The academic finished and Marta, host and friend of Nùria, handed over to my friend Duran, who explained to us what he did in order to defraud dozens of banks like he had done. It seemed good to me because he did it without any brutality, which is very important. After explaining to us how he did it, he also explained how he used the money, which is the second most important thing after obtaining it. He also told us about his project –which isn't just his– about a collective of residences and about work, something I defended at various libertarian meetings, because these are methods of making people accountable; these are the libertarian methods and methods of self-management, methods of collectivisation practiced in the civil war which worked and of which we can be proud of. Such methods are our heritage and for that we should defend what the friends of Enric Duran are doing. They are a necessity and are the only ones who will provide us with another way of living that is fairer and I believe to be better. If we want it, we have everything to achieve it with; nobody can stop us if we want it. Marta introduced Lucio. And as usual, I'm anything you like, but above all I'm a builder. Turning towards my academic friend, I said to him:

–Many thanks for your lucidity and richness, you know so much and you have had to make great efforts in order to

do that, but with all respect I have to tell you that I thought you were going to show us how to screw up the banks.

This is what we have to learn, how to steal from them and treat them with the disrespect they deserve.

I also said that the things my friend Duran had done were not much but if all of us here did something similar, things might change. Less preaching but more actions. I congratulated my friend Duran, who at any time, just like I also could have been, could be tempted into the idiocy of dedicating your life to another way of living, towards what is happiness for some people, and what for me is idiocy and desertion.

What is wealth? Anybody can think what they want, and I'm not against wealth; it can be good if one knows how to make use it, or bad if you don't know how. As I say: on certain day at 4:28p.m. you might have no more than fifty francs and then by 4:45p.m. you're a millionaire. How? And what for? Everything is what one does and one is what one is through what one does. For better or worse, we all have wealth and possibilities and it all remains to do; nothing is impossible. The United States of America has begun manufacturing 64 tonnes of paper to convert it into 64 tonnes of notes, and this is the extent of all the governments and the humble and generous people too.

The impossible does not exist. Utopia as well. We're starting off with little and in accordance with our possibilities but we're starting off just like our friend did. Bringing people with all means of information is possible and so is filling an abandoned garage without difficulty. This is living and realising the unbelievable. I went, I ate and I slept; so too my friend Duran, not forgetting the great professor. But the person who made the effort for everything, for everyone and without anyone's help is Núria who believes in the unbelievable because she lives the impossible and lives the only honourable way there is in itself: utopia. She lived it, created it and made it. Without it we'll slump to where we are now which is nowhere. Let's be selfish and do everything possible to achieve the impossible.

How to expropriate money
from the banks
Displaced Legal Application #1:
Fractional Reserve

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